

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	4:05CR3011
v.)	
)	
ROBERT POPEJOY,)	
)	ORDER
Defendant.)	
)	

IT IS ORDERED:

Defendant's motion to set trial and for continuance of pretrial motion deadline, filing 57, is granted, and:

1. Trial of this matter is set to commence at 9:00 a.m., Wednesday, July 26, 2006, for a duration of eight trial days before the Honorable Richard G. Kopf in Courtroom 1, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska. Jury selection will be held at commencement of trial.

2. The defendant is given until 30 days from this date to file pretrial motions.

3. The court finds that this case is extended or complex and that the ends of justice will be served by granting such a motion, outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between January 23, 2006 and July 26, 2006 shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, for the reason that the parties require additional time to adequately prepare the case, taking into consideration due diligence of counsel, the novelty and complexity of the case, and the fact that the failure to grant additional time might result in a miscarriage of justice.

18 U.S.C. § 3161(h)(8)(A) & (B), and in addition, the defendant earlier waived speedy trial time.

DATED this 23rd day of January, 2006.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge